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THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

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AMARAVATI, MONDAY, FEBRUARY 6, 2023

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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

COLLECTOR & DISTRICT MAGISTRATE, NANDYAL.

File No.REV-CSEC0VC(SUM)/1/2021-SA(C6)-COLLKRLN.

Dated: 21.01.2023.

NANDYAL DISTRICT - ATMAKUR DIVISION - ATMAKUR MANDAL - Sri PANYAM KISTAIAH S/o NADIPI RAMUDU AND Kum.PANAYAM MOUNIKA D/o PANYAM KISTAIAH - PERIKA BALIJA (B.C-B) CASTE CERTIFICATES ISSUED BY THE MANDAL REVENUE OFFICER / TAHSILDAR, ATMAKUR MANDAL - DECISION OF D.L.S.C - CANCELLATION OF ISSUED CERTIFICATES.

Ref:-

- 1.The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, (Act 16 of 1993).
- 2.The Andhra Pradesh (Schedules Caste, Scheduled Tribes and Backward Classes) Issue of Community, Nativity and Date of Birth Certificates Rules, 1997.
- 3.Appeal Petition of Kum.Panyam Maheswari D/o Panyam Kishtaiah, Atmakur town and Mandal
- 4.Orders of the Hon'ble High Court of A.P. in W.P.No.22830 of 2021 dt.07.10.2021.
- 5.Form-V Notice issued by the Chairmen, DLSC and Joint Collector, Kurnool vide File No.REV-CSEC0VC(SUM) /1/2021-SA(C6)-COLLKRLN dt.08.12.2021, 30.12.2021, 18.01.2022 & 02.02.2022

6. Form-V Notice issued by the Chairmen, DLSC and Joint Collector, Nandyal vide File No.REV-CSEC0VC(SUM) /1/2021-SA(C6)-COLLKRLN dt.21.09.2022 & 13.10.2022, 23.12.2022 & 05.01.2023.
- 7.Tahsildar, Atmakur Proceedings Rc.A/29/2023 dt.09.01.2023
- 8.Statements of Kum.Panyam Maheswari D/o Panyam Kistaiah and Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu, Atmakur town and Mandal dt.13.01.2023.
9. Form-V Notice issued by the Collector & District Magistrate, Nandyal vide File No.REV-CSEC0VC(SUM) /1/2021-SA(C6)-COLLKRLN dt.13.01.2023

ORDER:

Kum.Panyam Maheswari D/o Panyam Kistaiah resident of Atmakur town and Mandal has applied for issue of Perika Balija (B.C-B) caste certificate. The Tahsildar, Atmakur Mandal has rejected her application as she is not belongs to Perika Balija Caste. Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu has filed an appeal petition before the District Collector, Kurnool on rejection of the issue of Perika Balija (B.C-B) Caste Certificate to her daughter Panyam Maheswari by the Tahsildar, Atmakur.

The District Collector, Kurnool has taken the appeal of Sri Panyam Kistaiah for verification and detailed report has been called for from the Revenue Divisional Officer, Kurnool. The Revenue Divisional Officer, Kurnool has reported that, the appellant Kum.Panyam Maheswari D/o Panyam Kistaiah, Atmakur town and Mandal is belongs to "BALIJA" Caste which is belongs to O.C Category.

The Collector & District Magistrate, Kurnool has ordered for verification of the Perika Balija Caste of Kum.Panyam Maheswari D/o Panyam Kishtaiah of Atmakur town and Mandal by the Chairman & Joint Collector, District Level Scrutiny Committee, Kurnool to enquire and submit the findings on the report of the Revenue Divisional officer, Kurnool.

As per orders of Collector, Kurnool, the Chairman & Joint Collector, D.L.S.C., Kurnool was issued Notices in Form-V to Kum.Panyam Maheswari D/o Panyam Kishtaiah and her father Sri Panyam Kishtaiah S/o Panyam Nadipi Ramudu, Atmakur town and Mandal to attend for enquiry regarding their Community claim on 16.12.2021 at 10.30 AM at the Joint Collector, Kurnool and as per instructions of the Joint Collector, Kurnool, the enquiry was adjourned for another date. The enquiry of the case was adjourned up to 31.03.2022.

The above case file transferred to Nandyal District, due to re-organization of New Districts.

The appellant Kum.Panyam Maheswari D/o Panyam Kistaiah has filed an appeal before the Collector, Kurnool on 04.06.2021 and Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu who is the father of the appellant has also filed Writ affidavit before the Hon'ble High Court of A.P on 01.10.2021. The Hon'ble High Court of A.P have issued orders in W.P NO.22830 of 2021 dated 07.10.2021 "Having regard to the facts and circumstances of the case, submissions of the learned counsel and on perusal of the material record, this Court, in the interest of justice, felt it appropriate to dispose of the writ petition directing the 2nd respondent to consider the appeal filed by the petitioner on 04.06.2021 in its proper perspective objectively and as per law, within a period of two (02) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner".

In the enquiry conducted by the Revenue Mission, i.e., the Tahsildar, Atmakur Mandal and Revenue Divisional Officer, Atmakur. The Tahsildar, Atmakur has reported that, the petitioners and their family did not produce valid documents other than their study documents like Transfer certificate and Caste certificates which were issued manually to Panyam Kistaiah S/o Panyam Nadipi Ramudu in the years by the then Tahsildar, Atmakur 06.05.1994, 29.04.1995, 02.11.1996 and Panyam Mounika D/o Panyam Kistaiah was issued dt.05.09.2014. Besides this in the Birth & Death Records of Atmakur Municipality from 1937 to till now not even a single entry of "Perika Balija" was mentioned across the surnames of "Panyam. Based on the enquiries and submitted documents, the petitioners have failed to prove the "Perika Balija" caste because the burden of proof lies on petitioners who claim particular caste as per The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, (Act 16 of 1993. In view of the above, the caste certificates which were issued earlier to the petitioners Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu and Kum.Panyam Mounika D/o Panyam Kistaiah were recommended for cancellation, and the appeal of Kum.Panyam Maheswari D/o Kistaiah not considered on the above reasons.

Findings of the District Level Scrutiny Committee, Nandyal held at Collector's Office, Nandyal for the verification of Perika Balija (B.C-B) Caste of Kum.Panyam Maheswari D/o Panyam Kishtaiah is under the Chairmanship of the Joint Collector, Nandyal

Kum.Panyam Maheswari D/o Panyam Kishtaiah resident of Atmakur town and Mandal has applied for issue of Perika Balija (B.C-B) caste certificate. The Tahsildar, Atmakur Mandal has rejected her application as she is not belongs to Perika Balija Caste. Sri Panyam Kishtaiah S/o Panyam Nadipi Ramudu has filed an appeal petition before the District Collector, Kurnool on rejection of the issue of Perika Balija (B.C-B) Caste Certificate to her daughter Panyam Maheswari by the Tahsildar, Atmakur.

The Collector and District Magistrate, Kurnool has taken the appeal of Sri Panyam Kishtaiah S/o Panyam Nadipi Ramudu for verification and detailed report has been called for from the Revenue Divisional Officer, Kurnool. The Revenue Divisional Officer, Kurnool has reported that, the appellant Kum.Panyam Maheswari D/o Panyam Kishtaiah, Atmakur town and Mandal belongs to "BALIJA" Caste, which comes under O.C Category.

The Collector & District Magistrate, Kurnool has ordered for verification of the Perika Balija Caste of Kum.Panyam Maheswari D/o Panyam Kishtaiah of Atmakur town and Mandal by the Chairman & Joint Collector, District Level Scrutiny Committee, Kurnool to enquire and submit the findings on the report of the Revenue Divisional officer, Kurnool.

The appellant Kum.Panyam Maheswari D/o Panyam Kishtaiah has filed an appeal before the Collector, Kurnool on 04.06.2021 and Sri Panyam Kishtaiah S/o Panyam Nadipi Ramudu who is the father of the appellant has also filed Writ affidavit before the Hon'ble High Court of Andhra Pradesh on 01.10.2021. The Hon'ble High Court of A.P have issued orders in W.P No.22830 of 2021 dated 07.10.2021 "Having regard to the facts and circumstances of the case, submissions of the learned counsel and on perusal of the material record, this Court, in the interest of justice, felt it appropriate to dispose of the writ petition directing the 2nd respondent to consider the appeal filed by the petitioner on 04.06.2021 in its proper perspective objectively and as per law, within a period of two (02) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner".

In pursuance of the Notice in Form-V issued by the Chairman, DLSC & Joint Collector, Nandyal, Kum.Panyam Maheswari D/o Panyam Kistaiah and her father Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu have attended before the DLSC on 13.01.2023 and submitted their statements as follows;

Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu has stated that, he is resident of H.No.6/63-1, Thotageri, Atmakur town and Mandal and his forefather Sri Panyam Chinna Krishnaiah and their family residing in Atmakur since 100 years. His father Sri Nadipi Ramudu and his forefather are illiterates and living by Agriculture. His forefather Sri Chinna Krishnaiah is having six and two daughters i.e., 1)Panyam Pedda Ramudu, 2)Panyam Nadipi Ramudu, 3)Panyam Chinna Ramudu, 4)Panyam Pedda Swamy, 5)Panyam Chinna Swamy, 6)Panyam Ramakrishnudu, 7)Smt.Pedda Subbamma, and 8)Smt.Cinna Subbamma. Sri Panyam Swamy and Panyam Ramakrishnudu have obtained Transfer certificates in the decade of 1970 and the caste of Perika Balija is mentioned in the Transfer Certificates. Sri Panyam Ramakrishnudu worked in Revenue Department as Tahsildar and retired. His children Panyam Suresh, Panyam Krishna Prasad have also obtained Perika Balija (B.C-B) Caste certificates from the Tahsildars. He further stated that, his ancestors have running Jute bag business. He also produced the extracts of the Perika Balija (B.C-B) caste certificates issued in his favour in the years, 1994, 1995, 1996 and 1998. He produced the extracts the Perika Balija (B.C-B) Caste Certificate issued in favour of Panyam Girish Babu S/o Panyam Swami issued in the year 1998 and 2014. He further submitted that, his paternal uncle Sri Panyam Ramakrishna Transfer certificate issued by the Usmaniya College, Kurnool in the year 1979 and extract of Service Register, his sons Sri Panyam Krishna Prasad caste certificate issued in the year 1998 and 2014, Sri Panyam Suresh caste certificate issued in the year 1998 and 2014 have also enclosed. Sri Panyam Anjaneyulu has also obtained Caste certificate in the year 1998 and 2014. Sri Panyam Kistaiah has finally stated that, his family are belongs to Perika Balija (B.C-B) caste and they are obtained caste certificates from the Tahsildars. Recently, the Tahsildars have not issued Perika Balija Caste Certificates and requested to issue Perika Balija (B.C-B) Caste Certificate in favour of his second daughter Kum.Panyam Maheswari.

Kum.Panyam Maheswari D/o Panyam Kistaiah has stated that, she is residing in H.No.6/23-1, Thotageri, Atmakur town and Mandal and aged about 20 years. She studied 10th class in Sri Padmavathi High School and studied Inter Mediate in Sri Adhya Junior College, Atmakur town and she has not obtained any Scholarship from the government. She further stated that, at the time of admissions in Degree, the caste certificate is required and applied for issue of the Perika Balija (B.C-B) caste certificate to the Tahsildar, Atmakur. The Tahsildar, Atmakur has rejected her application. Due to rejection of her application, one academic year was lost, and after one year she was joined in Government Degree College, Atmakur on O.C category. She further stated that, she and her family members are not O.C category and her father Panyam Kistaiah and her elder sister Panyam Mounika have got Perika Balija Caste Certificates. Her blood relatives have also obtained Perika Balija (B.C-B) Caste certificates. But, the authorities have rejected her application only and not issued Perika Balija (B.C-B) Caste certificate in her favour. She finally requested to issue Perika Balija (B.C-B) Caste Certificate in her favour for further higher studies and competitive exams.

The District Backward Castes Welfare Officer, Nandyal has submitted her remarks that, Madathama Palli, Meduri, Biyyala, Chitti, Kare, Godesi, Jukru, Dongari, Athi, Garike, Gopathi, Batti, Chelle surnames are comes under Perika Balija (B.C-B) Caste, and Panyam, Marubothula, Bangaru, Yemmani, Kamatham, Kuppala Thota, Modham surnames are comes under Balija Caste. The petitioners surname is Panyam and the their caste is comes under Balija (O.C) vide reference Rc.C/131/2023 dt.13.01.2023

In view of the above, it is observed that, the Perika Balija (B.C-B) Manual Caste certificates issued in the year 1994, 1995, 1996, 1998 and online Caste certificates in the year 2014 only in Atmakur Mandal. No Perika Balija Caste Certificates issued in the category of B.C-B in Atmakur Mandal since 2014. Sri Panyam Kistaiah families only obtained Perika Balija (B.C-B) Caste certificates, other families in "Panyam surname" have not obtained Perika Balija caste certificates and they are eligible for Balija Caste certificates only as reported by the Tahsildar, Atmakur. Sri Panyam Chinna Kishnaiah who is the forefather of the petitioner Sri Panyam Kishtaiah belongs to Thota Balija caste (which comes under O.C category) was entered

in column No.7 of Birth Death Register of Atmakur Municipality for the year 1936 (Copy enclosed). The petitioner has submitted his family members caste certificates only, other proofs has not submitted except T.Cs and Manual caste certificates of his elder brother and younger brother family only. The Transfer Certificates issued by the Educational Institutions is not a substantial evidence for confirming the caste of the people for issue of Caste certificate. Under rule 6 of the A.P (Scheduled Castes, Scheduled Tribes & Backward Classes) Issue of Community, Nativity and Date of Birth Certificates Rules, 1997, the responsibility of the applicant to produce necessary evidence/documents while applying in Form I/II to the competent authority and also as called for by the competent authority/scrutiny and Review committee at the State level/ District Collector/ Scrutiny Committee at the District level/ Government, from time to time, while enquiring into the claims for the issue of Community, Nativity and Date of Birth Certificate.

In this case, two officers 1) Sri G.Doraswamy, MRO, Atmakur (Retired Deputy Collector who died two years back) (1995, 1996, 1998) and 2)Sri P.Muni Krishnaiah, Tahsildar, Atmakur (Retired Tahsildar, Chittoor District) (2014) have issued Perika Balija (BC-B) Caste Certificates. Since 2014, no Perika Balija Caste Certificates issued in Atmakur Mandal as reported by the Tahsildar, Atmakur Mandal. The Tahsildar, Atmakur has recommended for cancellation of Perika Balija (B.C-B) Caste certificates issued earlier in favour of Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu and Kum.Panyam Mounika D/o Panyam Kistaiah and the appeal of Kum.Panyam Maheswari D/o Panyam Kistaiah not consider for the above reason.

Hence, a notice in Form-V was issued to Kum.Panyam Maheswari D/o Panyam Kishtaiah and Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu to appear personally before the Chairman, District Level Scrutiny Committee on 13.01.2023 at 11.00 AM. Accordingly, they have appeared before the Committee.

Hence, the Committee had arrived to conclusion as follows;

In view of the above reasons, it is evident that, Kum.Panyam Maheswari D/o Panyam Kistaiah, Atmakur town and Mandal does not belongs to "PERIKA BALIJA" Caste. And also recommended for cancellation of Perika Balija (B.C-B) Caste Certificates fraudulently obtained by Sri Panyam Kistaiah S/o Nadipi Ramudu who is the father of the appellant and

Panyam Mounika D/o Panayam Kistaiah who is the elder sister of the appellant, as they are furnishing false information and statements to the competent authority and obtained Perika Balija (B.C-B) Caste certificates.

The District Scrutiny Committee had arrived to conclusion that, Kum.Panyam Maheswari D/o Panyam Kistaiah, Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu and Kum.Panyam Mounika D/o Panyam Kistaiah are belongs to "Balija" (O.C) caste and does not belongs to Perika Balija (B.C-B) Caste.

An opportunity was given to Kum.Panyam Maheswari D/o Panyam Kistaiah, Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu and Kum.Panyam Mounika D/o Panyam Kistaiah before cancelling the Perika Balija (B.C-B) Caste certificates to their favour under section 5 of the Andhra Pradesh (Schedule Castes, Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificates Act, 1993 vide this office Form-V Notice issued by the Collector & District Magistrate, Nandyal vide File No.REV-CSEC0VC(SUM)/1/2021-SA(C6)-COLLKRNLDt.13.01.2023

The appellants have attended before the Collector and District Magistrate, Nandyal on 21.01.2023 and stated that, their family members are not belongs to O.C category and blood relatives have also obtained Perika Balija (B.C-B) Caste certificates. But, the authorities have rejected the application of Kum.Panyam Maheswari and not issued Perika Balija (B.C-B) Caste certificate in her favour.

The contention of the appellants was heard, and the records produced by the appellants were perused. The contentions and observations of D.L.S.C were also carefully examined. The main contention was the appellants family members obtained Perika Balija (B.C-B) caste certificates earlier. The Committee members informed that, the appellant family members fraudulently obtained Perika Balija (B.C-B) Caste certificates by Sri Panyam Kistaiah S/o Nadipi Ramudu and Panyam Mounika D/o Panayam Kistaiah.

In view of the above, I Dr.Manazir Jeelani Samoon, I.A.S., Collector & District Magistrate, Nandyal District in exercise of the powers conferred under section 5(1) of The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, (Act 16 of 1993) and The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Issue of Community, Nativity, Date of Birth Certificates Rules, 1997 hereby cancel the Perika

Balija (B.C-B) Caste Certificates issued to Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu obtained from the Mandal Revenue Officer, Atmakur Mandal dated 29.04.1995, 02.11.1996 & 16.09.1998 and Kum.Panyam Mounika D/o Panyam Kistaiah obtained from the Tahsildar, Atmakur Mandal dt.05.09.2014.

The appeal lies before the Government of Andhra Pradesh within 30 days from the publication of order in the Andhra Pradesh Gazette as per Section 7(2) of Act 16 of 1993.

Dr. MANAZIR JEELANI SAMOON,
*Collector and District Magistrate,
Nandyal.*

To
Sri Panyam Kistaiah S/o Panyam Nadipi Ramudu, H.No.6/63-1, Thotageri, Atmakur town and Mandal, Nandyal District
Smt.Panyam Mounika W/o G.Naveen Sai, R/o Bethamcherla town and Mandal, Nandyal District

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